IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

Vali Mohammed & Ors. Vs. State of Rajasthan

S.B.CR.MISC. PETITION NO.1001/2004.

DATE OF ORDER :: November 06, 2006

PRESENT

HON'BLE MR.JUSTICE H.R.PANWAR

Mr.Farzand Ali for Mr.Vinit Kumar Mathur, for the petitioners.
Mr.Ashok Upadhyaya, P.P.

BY THE COURT:

Heard learned counsel for the petitioners and the Public Prosecutor for the State. Perused the order impugned by which the trial court took the cognizance of the offences under sections 471, 474, 420, 468, 120-B I.P.C. and section 3/25 of the Arms Act. I have carefully gone through the order impugned as also the record.

From the perusal of the record, it appears that as many as 29 FIRs of similar nature were lodged. The trial court came to the conclusion that there is prima facie ground to proceed for the

offences noticed above and accordingly took the cognizance and issued the process. In my view, the order taking cognizance cannot be said to be erroneous. It cannot be said that the order impugned would result in serious miscarriage of justice or abuse of process of any court warranting interference in inherent jurisdiction. Keeping in view the decision of Hon'ble Supreme Court in Jagdish Ram vs. State of Rajasthan & Anr. **AIR 2004 SC 1734,** in my view no case for interference is made out.

The petition is, therefore, dismissed. Interim order dt 22.11.2004 is vacated. Stay petition also stands dismissed. The record of the trial court be returned forthwith.

[H.R.PANWAR],J.

m.asif/-